THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 23326 of 2007

Date:02-11-2007

Between:

T.Hymavathi

…Petitioner

AND

The Revenue Divisional Officer, Gudivada and three others

..

Respondents

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ORDER:

The petitioner seeks a writ of mandamus to declare the inaction of the respondent No.1 in granting stay of all further proceedings pursuant to the proceedings Rc.A.No.190/2007, dated 24.07.2007 of the second respondent/Tahsildar, Kaikalur, pending final disposal of the statutory appeal No.965 of 2007 filed by the petitioner, as illegal and arbitrary and consequently direct the first respondent to dispose of the said appeal.

It is the case of the petitioner that as against the orders passed in proceedings Rc.A.No.190/2007, dated 24.07.2007 by the second respondent/Tahsildar, Kaikalur resuming the lands an extent of Ac.0.39 cents in R.S.No.208/1 situated in Rachapatnam village, Kaikalur mandal, Krishna District, the petitioner filed an appeal before the first respondent/RDO and the same is pending.

Having regard to the facts of the case, the writ petition is disposed of directing the 1st respondent/R.D.O. to consider and dispose of the appeal filed against the orders of the second respondent/Tahsildar in proceedings Rc.A.No.190/2007, dated 24.07.2007 and pending disposal of the said appeal, the petitioner shall not be dispossessed. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:02.11.2007
ccm